

TOWN OF PAGOSA SPRINGS, COLORADO

ORDINANCE NO. 771 (SERIES 2012)

AN ORDINANCE IDENTIFYING THE PLACE OF PUBLICATION AFTER THE FIRST AND SECOND READING OF AN ORDINANCE AND AMENDING CHAPTER 1 OF THE MUNICIPAL CODE

WHEREAS, the Town of Pagosa Springs, Colorado (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, amended April 3, 2012; and

WHEREAS, pursuant to Section 3.9 B) and D) of the Home Rule Charter, the place of publication after the first and second reading of an ordinance shall be established by ordinance; and

WHEREAS, the Town Council (the “Council”) of the Town desires to identify such place of publication and make corresponding amendments to Chapter 1 of the Town of Pagosa Springs Municipal Code (the “Municipal Code”).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

I. Ordinance Publication. Pursuant to Section 3.9 B) and D) of the Home Rule Charter, all ordinances shall be published after the first and second reading on the Town’s official website. Additional publication may be made in alternative locations, such as a newspaper of general circulation within the Town, but such additional publication is not required.

II. Amendments to Chapter 1 of the Municipal Code.

A. The title of Article 1 of Chapter 1 of the Municipal Code is hereby amended to read, “ORDINANCE AND CODE ADOPTION AND EFFECTS.”

B. Article 1 of Chapter 1 of the Municipal Code is hereby amended to add the following new section:

Sec.1.1.8. Ordinance Publication.

(1) Ordinances shall be published as set forth in Section 3.9 of the Home Rule Charter and this section. In case of a

conflict, the provisions of the Home Rule Charter shall prevail.

(2) Upon approval on first reading, the title only of the ordinance shall be published on the Town's official website at least ten (10) days prior to each Council meeting at which it will be considered on second reading. The publication of the title of the ordinance shall include a statement identifying any fines or penalties for violation of the ordinance, and a statement that the full text of the ordinance, including any amendments, shall be available for public inspection at the office of the Town Clerk. In the event that consideration of an ordinance is continued for substantive amendments, publication of the title of the ordinance prior to second reading shall also include a statement that the ordinance contains substantive amendments. The title of the ordinance may be removed from the Town's official website after the Council meeting at which it is considered on second reading.

(3) After final passage, the ordinance shall be published on the Town's official website by title only, along with a statement indicating the effective date of the ordinance and that the full text of the ordinance is available at the office of the Town Clerk. The ordinance may be removed from the Town's official website seven (7) calendar days following the publication date.

(4) For purposes of calculating time periods associated with publication of ordinances, the publication date of the ordinance shall be the calendar date following the date on which the title of the ordinance is posted on the Town's official website.

(5) Publication may be made in locations in addition to the Town's official website, such as a newspaper of general circulation within the Town, but such additional publication is not required.

III. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

IV. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

V. Public Hearing. A public hearing on this Ordinance shall be held on the 17th day of May, 2012, at 12:00 p.m. at the Pagosa Springs Town Hall, 551 Hot Springs Boulevard, Pagosa Springs, Colorado.

VI. Effective Date. This Ordinance shall become effective and be in force immediately upon final passage at second reading.

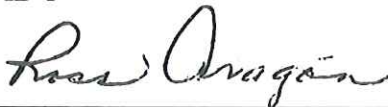
INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS ON THE 17th DAY OF MAY, 2012.



Attest:

April Hessman, Town Clerk

TOWN OF PAGOSA SPRINGS,
COLORADO

By: 

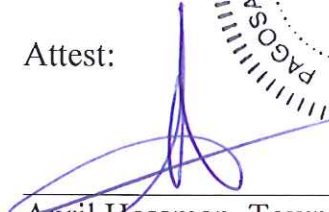
Ross Aragón, Mayor

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 5th DAY OF JUNE, 2012.


TOWN OF PAGOSA SPRINGS,
COLORADO

By: Ross Aragón
Ross Aragón, Mayor

Attest:



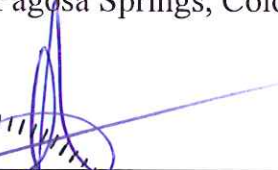
April Hessman, Town Clerk

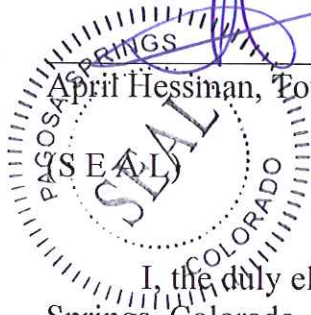


CERTIFICATE OF PUBLICATION

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 771 (Series 2012) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the 17th day of May, 2012, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, in the *Pagosa Sun*, a newspaper of general circulation in the Town, on May 24, 2012, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

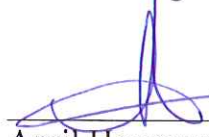
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 25 day of May, 2012.



April Hessman, Town Clerk
(SEAL)


I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 771 (Series 2012) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 5th day of June, 2012, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, in the *Pagosa Sun*, a newspaper of general circulation in the Town, on June 14, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 14 day of June, 2012.



April Hessman, Town Clerk
(SEAL)
